



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/796,785

03/08/2004

Albert Gordon Smith

M074

1669

59061

7590

03/18/2009

FULBRIGHT & JAWORSKI, LLP (ADOBE)

2200 ROSS AVENUE

SUITE 2800

DALLAS, TX 75201-2784

EXAMINER

ZAHR, ASHRAF A

ART UNIT

PAPER NUMBER

2175

MAIL DATE

DELIVERY MODE

03/18/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/796,785	<b>Applicant(s)</b> SMITH ET AL.	
	<b>Examiner</b> ASHRAF ZAHR	<b>Art Unit</b> 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This is the second action for application 10/796,785. Claims 1-27 are pending in this application.

### ***Response to Arguments***

2. Applicant argues, "Cook does not teach the above limitations of claims 1, 9, 12 and 20. These limitations of the claims require that, initially, some interface elements are not only hidden, they are not even instantiated. The claimed descriptor nodes describe these uninstantiated interface elements, in contrast, Cook merely teaches displaying or hiding objects that have already been instantiated"

The objects not necessarily instantiated. As stated in figure 7A a placeholder object that is only bound to user specified object when the user attaches the prototype to it. Hence this type of object would not be instantiated until a prototype is attached to it (Cook, col 15 ln 39-55). Furthermore the elements in Cook are not all instantiated as some elements are not instantiated until a user input event occurs (Cook, col 10, ln 35-40). Therefore, the examiner respectfully disagrees with the applicant.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2175

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook, et al. US 6,178,432 (Hereinafter, Cook).

**Regarding Claim 1**, Cook discloses, “a method comprising: responsive to beginning a rich internet application (RIA) and deferring instantiation of one or more interface elements in said RIA,”. Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when object A, which is in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, In 40-50).

Cook also discloses, “generating a descriptor tree having a plurality of descriptor nodes, wherein each of said plurality of descriptor nodes describes a plurality of interface elements of said RIA instantiated and visible at said beginning of said RIA”. Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when object A, which is in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, In 40-50).

Cook also discloses, “creating one or more hidden descriptor nodes in said descriptor tree describing said one or more interface elements not instantiated or visible at said beginning, wherein said hidden descriptor nodes are created, responsive to a user navigating to said one or more interface elements”. Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when object A, which is

Art Unit: 2175

in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, ln 40-50).

“wherein , further responsive to said user navigating, instantiating said interface elements not instantiated at said beginning of said RIA;”

Cook also discloses, “and rendering said plurality of interface elements instantiated at said beginning of said RIA and said one or more interface elements no instantiated at said beginning of RIA using corresponding ones of: said plurality of descriptor nodes; and said one or more hidden descriptor nodes”. Specifically, it should be noted that triggered events may occur simultaneously to or interspersed between new user input events or redraw events (Cook, col 11, ln 59-65).

**Regarding Claim 2**, Cook also discloses, “the method of claim 1 further comprising: converting said plurality of descriptor nodes into a plurality of detail objects”. Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when object A, which is in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, ln 40-50).

Cook also discloses, “converting said one or more hidden descriptor nodes into one or more detail objects not instantiated at said beginning of said RIA”. Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when object A, which is in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, ln 40-50).

Cook also discloses, "wherein said plurality of interface elements instantiated at said beginning of said RIA and said one or more interface elements not instantiated at said beginning of said RIA are rendered directly using said plurality of detail objects and said one or more detail not objects instantiated at said beginning of said RIA".

Specifically, it should be noted that triggered events may occur simultaneously to or interspersed between new user input events or redraw events (Cook, col 11, ln 59-65).

**Regarding Claim 3**, Cook also discloses, "the method of claim 1 wherein each one of said plurality of descriptor nodes and said one or more hidden descriptor nodes contains a software method for generating each its child nodes". Specifically, Thus, A's change of state triggers state changes in objects B, X, and Y. The state changes in B, X, and Y are each triggered events which may themselves trigger other events. All such triggered events are determined and processed by the applet" (Cook, col 11, ln 40-50).

**Regarding Claim 4**, Cook also discloses, "the method of claim 1 further comprising: downloading executable code representing said RIA to a computer of said user responsive to said beginning of said RIA, wherein said generating and said creating use said executable code". Specifically, it should be noted that triggered events may occur simultaneously to or interspersed between new user input events or redraw events (Cook, col 11, ln 59-65). Furthermore, FIG. 7C illustrates the structure that is created for the interactive web page that is available for downloading by users as

Art Unit: 2175

a result of the Web page author attaching prototype 703 shown in FIG. 7A to butterfly object 740 shown in FIG. 7B (Cook, col 17, ln 16-25).

**Regarding Claim 5**, Cook also discloses, “the method of claim 2 further comprising: storing as a plurality of stored nodes each of: said plurality of descriptor nodes; said one or more hidden descriptor nodes; said plurality of detail objects; and said one or more detail objects not instantiated at said beginning of said RIA”. Specifically, Once data storage 212 are transferred to storage unit 276 (Cook, col 7, ln 15-21).

Cook also discloses, "re-rendering each of said plurality of interface elements instantiated at said beginning of said RIA and said one or more interface elements not instantiated at said beginning of said RIA from said plurality of stored nodes”. Specifically, processing unit 272 causes Web page 100 to be displayed on monitor 274 using a Java applet received from computer 250 as part of data storage 212 (Cook, col 7, ln 15-21).

**Regarding Claim 6**, Cook also discloses, “the method of claim 1 wherein said one or more hidden descriptor nodes created has a navigational relationship with a particular one of said one or more hidden interface elements not instantiated at said beginning of said RIA to which said user navigates”. Specifically, Thus, A's change of state triggers state changes in objects B, X, and Y. The state changes in B, X, and Y

are each triggered events which may themselves trigger other events. All such triggered events are determined and processed by the applet" (Cook, col 11, ln 40-50).

**Regarding Claim 7**, Cook also discloses, "the method of claim 6 wherein said navigational relationship comprises one or more of: a direct link; an ordinal relationship; a statistical relationship; and a positional relationship". Specifically, Thus, A's change of state triggers state changes in objects B, X, and Y. The state changes in B, X, and Y are each triggered events which may themselves trigger other events. All such triggered events are determined and processed by the applet" (Cook, col 11, ln 40-50).

**Regarding Claim 8**, Cook also discloses, "the method of claim 1 further comprising: creating select ones of said one or more hidden descriptor nodes in said descriptor tree responsive to beginning said RIA". Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when object A, which is in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, ln 40-50).

**Regarding Claim 9**, Cook also discloses, "a method comprising: creating a root application node of a descriptor tree, responsive to a user initiating a rich internet application (RIA) defined using procedural code and declarative code". Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when



Art Unit: 2175

object A, which is in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, ln 40-50).

Cook also discloses, "generating a plurality of descriptor nodes for said descriptor tree, wherein each of said plurality describes an interface element currently instantiated and visible to said user on a currently visible pane of said RIA".

Specifically, FIG. 4B is a block diagram which illustrates how a tree of triggered events occurs when object A, which is in stack container C along with object B, changes state from "hidden" to "shown." (Cook, col 11, ln 40-50).

Cook also discloses, "responsive to said user navigating to a subsequent pane of said RIA, constructing a plurality of stacked descriptor nodes for said descriptor tree".

Specifically, objects are organized into structures which include groups, stacks, and switches. A group is a collection of objects which are all displayed or hidden together. A stack is a group of objects which are displayed one at a time so that when one of the objects in the stack is displayed, all of the other objects are hidden (Cook, col 5, ln 59-67).

Cook also discloses, "wherein each of said plurality of stacked descriptor nodes describes said interface element not instantiated and invisible to said user on said currently visible pane of said RIA and associated with said subsequent pane". A group is a collection of objects which are all displayed or hidden together. A stack is a group of objects which are displayed one at a time so that when one of the objects in the stack is displayed, all of the other objects are hidden (Cook, col 5, ln 59-67).

Art Unit: 2175

Cook also discloses, "and creating a detail object from each one of: said plurality of descriptor nodes; and said plurality of stacked descriptor nodes"

"and rendering said interface element using a corresponding detail object". Specifically, it should be noted that triggered events may occur simultaneously to or interspersed between new user input events or redraw events (Cook, col 11, ln 59-65).

**Regarding Claim 10**, Cook also discloses, "the method of claim 9 wherein said generating comprises: generating one of said plurality of descriptor nodes for a container of said interface element not instantiated and invisible to said user on said currently visible pane of said RIA". Specifically, it should be noted that triggered events may occur simultaneously to or interspersed between new user input events or redraw events (Cook, col 11, ln 59-65).

**Regarding Claim 11**, Cook also discloses, "the method of claim 9 wherein said association between said subsequent pane and said plurality of stacked descriptor nodes comprises one of: a direct link; an ordinal relationship; a statistical relationship; and a positional relationship". Specifically, Thus, A's change of state triggers state changes in objects B, X, and Y. The state changes in B, X, and Y are each triggered events which may themselves trigger other events. All such triggered events are determined and processed by the applet" (Cook, col 11, ln 40-50).

**Regarding Claim 12-19, 20-27**, these claims are substantially similar to claim 1-8 and are therefore rejected based upon the same reasoning used to reject claims 1-8.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHRAF ZAHR whose telephone number is (571)270-1973. The examiner can normally be reached on M-F 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2175

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAZ 3/6/09

/William L. Bashore/  
Supervisory Patent Examiner, Art Unit 2175